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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

HOA THAO VU TRAN, a/k/a HOAT
TRAN; d/b/a CDX SOFTWARE,
CDXSOFTWARE.COM, HTTFISH and
HTTFISH42; and JOHN DOES 1-5,

Defendants.

Case No. SACV 08-0498 DOC (ANx)

**PERMANENT INJUNCTION
AGAINST HOA THAO VU TRAN,
d/b/a
CDX SOFTWARE,
CDXSOFTWARE.COM, HTTFISH,
and HTTFISH42; and**

ORDER OF DISMISSAL

Stipulation filed concurrently herewith

THIS MATTER came before the Court upon the Stipulation of Plaintiff Microsoft Corporation's ("Microsoft") and defendant Hoa Thao Vu Tran, d/b/a CDX Software, CDXsoftware.com, HTTFISH, and HTTFISH42 ("Tran") for the entry of a Permanent Injunction and Order of Dismissal. Having considered the Stipulation, and having reviewed the files and records herein; the Court enters the following ORDER:

PERMANENT INJUNCTION

1. Defendant Hoa Thao Vu Tran, doing business as CDX Software, CDXsoftware.com, HTTFISH, and HTTFISH42, and his agents, servants, employees, representatives, successors and assigns, and all those persons acting at his direction or control, are hereby **PERMANENTLY ENJOINED** and restrained from engaging in the following acts or practices:

(a) imitating, copying, or making any other infringing use or infringing distribution of the software and/or materials now or hereafter protected by the following copyright Certificate Registration Nos.:

(1) TX 5-407-055 ("Windows XP");

(2) TX 5-811-026 ("Windows 2003 Server"); and

(3) Other items or works protected by Microsoft registered copyrights;

(b) importing (to the United States), offering to the public, providing and trafficking in counterfeit and/or unauthorized Product Keys, knowing or having reason to know that such Product Keys (a) are primarily designed or produced for the purpose of circumventing technological measures that effectively control access to copyrighted Microsoft software, (b) have only limited commercially significant purpose or use other than to circumvent technological measures that effectively control access to copyrighted Microsoft software, or (c) are marketed by Defendant and persons acting in concert with Defendant for use in circumventing technological measures that effectively control access to copyrighted Microsoft software;

(c) using any false or misleading representation that can or is likely to lead the trade or public erroneously to believe that any software program, component, or item has been manufactured, assembled, produced, distributed, offered for distribution, circulation, sold, offered for sale, imported, advertised, promoted,

1 displayed, licensed, sponsored, approved, or authorized by or for Microsoft, when such
2 is not true in fact;

3 (d) using reproductions, counterfeits, copies or colorable imitations of
4 Microsoft's copyrighted and trademark protected software and other materials in the
5 distribution, offering for distribution, circulating, sale, offering for sale, advertising,
6 importing, promoting, or displaying of any merchandise not authorized or licensed by
7 Microsoft;

8 (e) trafficking, distributing or intending to distribute any counterfeit or
9 illicit Microsoft Product Keys, Product Key Labels, or any Microsoft documentation or
10 packaging; and

11 (f) assisting, aiding, or abetting any other person or business entity in
12 engaging in or performing any of the activities referred to in subparagraphs a through e
13 above.

14 **ORDER OF DISMISSAL**

15 2. The Court further Orders that Microsoft's claims in this action against
16 defendant Tran are dismissed, with prejudice and without attorneys' fees or costs.

17 3. The United States District Court for the Central District of California shall
18 continue to have jurisdiction in this case to the extent necessary to enforce the
19 Permanent Injunction and other agreed orders, and the Settlement Agreement and
20 Release entered into by Microsoft and Tran.

21 IT IS SO ORDERED.

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23 Dated: September 30, 2008



24 HON. DAVID O. CARTER
25 United States District Court Judge
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